


ORDERED.

Dated: July 27, 2018



Roberta A. Colton
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov**

In re:

Case No. 8:18-bk-02719-RCT
Chapter 13

KYRAN MCADAM JAMES

Debtor(s)¹

_____ /

**ORDER RESERVING RULING ON TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO MAKE PLAN PAYMENTS
TO THE TRUSTEE AND GRANTING PERIOD TO CURE DEFAULT**

THIS MATTER came on for consideration for the purpose of the entry of an appropriate Order in the above Styled Chapter 13 Case, upon the Trustee's Motion to Dismiss for Failure to Make Plan Payments to the Trustee (Doc. No. 18). The Court, having reviewed the motion and based upon the facts set forth therein, it is

ORDERED:

1. The Debtor shall make the August 5, 2018 & September 5, 2018 payments of \$1,362.00 each, both on time. The Debtor shall also cure all delinquencies and bring all payments current under the Plan by paying to the Chapter 13 Trustee the additional sum of \$4,122.00 on or before October 5, 2018, which amount includes the October 2018 payment.

¹ All reference to "debtor" shall include and refer to both of the debtors in a case filed jointly by two individuals.

Notwithstanding the foregoing, nothing contained in this order relieves the Debtor of the obligation to be current with all plan payments at the time of the confirmation hearing as a means of demonstrating that the plan is feasible.

2. In the event Debtor fails to make the payments required to be made on time, as provided in paragraph 1 above and/or cure arrearages as herein provided, the Trustee shall, without further notice to the Debtor, submit for this Court's consideration an Order dismissing the case for failure to make plan payments.

3. Assuming the Debtor(s) bring all payments to the Trustee current pursuant to Paragraph 1 above, the Court will reserve ruling on the Trustee's Motion to Dismiss. In the event payments to the Trustee hereafter become delinquent, the Trustee may file a Notice of Default, giving the Debtor(s) fourteen (14) days to cure the delinquency in plan payments. If the Debtor(s) fail to become current with their plan payments within fourteen (14) days of the Notice of Default, the Trustee may, without further notice to the Debtor(s), submit an Order dismissing the above-styled Chapter 13 case.

Kelly Remick, Chapter 13 Standing Trustee, is directed to serve a copy of this Order on interested parties and file a proof of service within three (3) days of entry of the Order.

KR/nt

C13T 7/27/18